

REMARKS

This is in response to the Office Action mailed on May 12, 2009. All objections and rejections are respectfully traversed. Claims 1-24 are presently pending. Claims 1 - 2 and 5 - 14 are currently amended. Applicant respectfully submits that the current amendments are merely clarifying amendments and no new matter is added. Support for the amendments can be found throughout the specification.

Rejections Under 35 U.S.C. § 103

The Examiner rejected claims 1-7, 11, 14-16 and 22-24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,251,607 to Veschi ("Veschi"). This rejection is respectfully traversed. Claim 1 as currently amended recites:

1. A method of managing consumer complaints comprising:
receiving a complaint from a consumer in an electronic format regarding a merchant;
forwarding the complaint to the merchant for a merchant's response;
displaying the complaint and a merchant's response on an Internet site;
receiving from third parties a plurality of ratings indicating said third parties' opinions of righteousness of said consumer and/or said merchant in an electronic format; and
displaying an averaged numerical representation of the ratings.

Veschi describes a dispute resolution method wherein qualified parties ("resolvers" or "squires") mediate or vote to resolve disputes remotely. A broader audience ("gallery") may post comments or vote for entertainment value or voyeuristic snooping. See col. 3, lines 4 – 46, col. 4, lines 39 – 47.

The Examiner erroneously asserted that Veschi discloses "displaying the user's opinions of righteousness on an Internet site as an averaged numerical representation (see at least FIG 8, 875, 880, 895 and 897 and column 13, lines 29 – 35). Office Action, page 5, lines 1 – 3. Applicant respectfully submits that, contrary to the Examiner's characterization, the referenced portion of Veschi discloses a set of votes by gallery members and has nothing to do with the claimed average numerical representation. Such vote counts of gallery members, or even votes by resolvers, do not provide a numerical representation of user's opinions of righteousness.

Nothing in Veschi alone or combined with any of the other cited references teaches or suggests anything about an average numerical representation of user's opinions as claimed.

Applicant respectfully submits that Veschi's voting system teaches away from the present invention by having qualified parties vote to resolve disputes. In contrast, Applicant's claimed invention provides a rating system which is simpler and more efficient than Veschi's voting system and eliminates the need for any qualified parties or "resolvers."

Claim 1 is amended herein to more clearly define the displaying steps as: receiving from third parties a plurality of ratings indicating said third parties' opinions of righteousness of said consumer and/or said merchant in an electronic format; and displaying an averaged numerical representation of the ratings.

Since Veschi does not teach or suggest each and every element of the claims as currently amended, Applicant respectfully submits that the rejections of claims 1-7, 11, 14-16 and 22-24 under 35 U.S.C. § 103 are overcome and should be withdrawn. Reconsideration is respectfully requested.

The Examiner rejected claims 8-10 and 17-19 under 35 U.S.C. § 103(a) as being unpatentable over Veschi in view of U.S. Patent No. 7,363,361 to Tewari ("Tewari"). This rejection is respectfully traversed. Tewari discloses a secure content delivery system including using a user's IP address and/or URL to authenticate the user. Col. 1, lines 15 – 20. Applicant respectfully submits that Tewari relates to the unrelated field of secure content delivery in a computer environment, and does not cure the deficiencies of Veschi by teaching or suggesting anything about average numerical representation of third party ratings as claimed.

Since no combination of Veschi and Tewari teaches or suggests each and every element of the claims as currently amended, Applicant respectfully submits that the rejections of claims 8-10 and 17-19 under 35 U.S.C. § 103 are overcome and should be withdrawn. Reconsideration is respectfully requested.

The Examiner rejected claims 12-13 and 20-21 under 35 U.S.C. § 103(a) as being unpatentable over Veschi in view of U.S. Patent No. 6,539,392 to Rebane ("Rebane"). This rejection is respectfully traversed. Rebane describes a system and method for data collection, evaluation, information generation and presentation in the field of electronic commerce. Col. 1, lines 8 – 12. However, Rebane does not cure the deficiencies of Veschi, and/or Tewari by

teaching or suggesting anything about displaying an average numerical representation of user ratings indicating opinions of righteousness as particularly claimed.

Since no combination of Veschi and Rebane teaches or suggests each and every element of the claims as currently amended, Applicant respectfully submits that the rejections of claims 12-13 and 20-21 under 35 U.S.C. § 103 are overcome and should be withdrawn. Reconsideration is respectfully requested.

CONCLUSION

For at least the reasons set forth above, reconsideration and allowance of this application are believed to be in order, and such action is hereby solicited. If any points remain an issue which the Examiner feels may be best resolved through a telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below. The Examiner is invited and encouraged to telephone the undersigned with any concerns in furtherance of the prosecution of the present application.

Please charge any deficiency as well as any other fee(s) which may become due at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 50-2896.

Respectfully submitted,

Date: August 5, 2009

/Joseph P. Quinn/

Joseph P. Quinn, Reg. No. 45,029

Seyfarth Shaw LLP

Attorney for Applicant

Two Seaport Lane

Boston, MA 02210-2028

Phone: 617-946-4833

Fax: 617-946-4801

Email: bosippto@seyfarth.com